

KUNIGUNDE BELDIE

JUNE 27, 1952.—Ordered to be printed

Mr. McCARRAN, from the Committee on the Judiciary, submitted the following

REPORT

[To accompany H. R. 2716]

The Committee on the Judiciary, to which was referred the bill (H. R. 2716) for the relief of Kunigunde Beldie, having considered the same, reports favorably thereon without amendment and recommends that the bill do pass.

PURPOSE OF THE BILL

The purpose of the bill is to enable a former citizen of the United States to regain her citizenship which was lost by residence in her native country for more than 3 years.

STATEMENT OF FACTS

The beneficiary of the bill was born in Roumania on July 7, 1909, and derived citizenship on July 29, 1929, when she was admitted to the United States as a nonquota immigrant destined to her father who was a naturalized citizen of the United States. She has a 10-year-old son who is a United States citizen. She returned to Roumania in 1936 where she was married. Her husband was killed during the last war.

A letter dated October 9, 1950, to the chairman of the Committee on the Judiciary of the House of Representatives from the Deputy Attorney General with reference to H. R. 7606, which was a bill introduced in the Eighty-first Congress for the relief of the same alien, reads as follows:

OCTOBER 9, 1950.

Hon. EMANUEL CELLER,
*Chairman, Committee on the Judiciary,
House of Representatives, Washington, D. C.*

MY DEAR MR. CHAIRMAN: This is in response to your request for the views of the Department of Justice relative to the bill (H. R. 7606) for the relief of Kunigunde Beldie.

The bill would provide that, notwithstanding any provision of law to the contrary, Mrs. Kunigunde Beldie, a former citizen of the United States, shall be considered to have retained her United States citizenship.

The files of the Immigration and Naturalization Service of this Department disclose that Kunigunde Beldie is a native and citizen of Rumania, having been born in Suceave, Rumania, on July 7, 1909. She last entered the United States at the port of New York on July 29, 1929, as a nonquota immigrant destined to her father, Maximilian Reichhardt, a naturalized citizen of the United States. She had previously resided in this country from 1913 until about 1920. At the time of her admission on July 29, 1929, she had derived citizenship through her father by his naturalization on March 18, 1929. Mrs. Beldie remained in this country until July of 1936, when she departed for Rumania, in possession of a United States passport, which was issued to her on May 11, 1936, by the Department of State. She has remained outside the United States since the date of her departure.

From the information furnished the Immigration and Naturalization Service by her brother, Rudolph Reichhardt, it appears that she and Mr. Beldie were married after her return to Rumania and that a son, Riki, who is about 9 years of age, is the issue of that marriage, and that he is a United States citizen. Her husband was killed during the last war. Her brother stated that he is in possession of a letter from the American Legation, Bucharest, Rumania, advising of the loss of United States citizenship of Kunigunde Beldie.

There is in the files of the Immigration and Naturalization Service a certificate of the loss of nationality of the United States executed on August 9, 1949, by James A. Garvey, vice consul of the United States at Bucharest, Rumania, which shows, among other things, that Kunigunde Beldie had expatriated herself under the provisions of section 404 (b) of the Nationality Act of 1940 by having resided for over 3 years in Rumania, the country of her birth, and by having failed to establish a permanent residence in the United States prior to October 14, 1946. To enter the United States at this time, Mrs. Beldie will be required to obtain a quota immigration visa.

The quota of Rumania, to which the beneficiary of the bill is chargeable, is oversubscribed, and an immigration visa is not readily obtainable. The record contains no facts, however, to indicate that the alien made any attempts to return to the United States prior to 1948, notwithstanding the fact that it was the policy of the Department of State to notify all United States citizens abroad of the expatriating provisions of the Nationality Act of 1940. Neither is there any indication that she expressed a desire to preserve her United States citizenship prior to 1949. Furthermore, there are no circumstances presented sufficient to justify the enactment of special legislation granting her a preference over the many other United States citizens who also lost their citizenship in the same manner and who also desire to return to this country and resume their citizenship. It is the belief of this Department that the problem of granting such relief is a general one and should be resolved, if at all, by general legislation.

Accordingly, the Department of Justice is unable to recommend enactment of the bill.

Yours sincerely,

PEYTON FORD,
Deputy Attorney General.

Congressman Isidore Dollinger, the author of the bill, appeared before a subcommittee of the Committee on the Judiciary of the House of Representatives and made the following statement in support of the bill:

STATEMENT OF ISIDORE DOLLINGER, MEMBER OF CONGRESS FROM NEW YORK

Mr. Chairman and members of the Committee on the Judiciary, on February 15, 1951, I reintroduced my bill in favor of Kunigunde Beldie (H. R. 2716).

Mrs. Beldie is a native and citizen of Rumania, born there on July 7, 1909. She last entered the United States at New York on July 29, 1929, as a nonquota immigrant destined to her father, Maximilian Reichhardt, a naturalized citizen of the United States. She had previously resided in the United States from 1913 until about 1920. At the time of her admission in July 1929, she had derived citizenship through her father by his naturalization on March 18, 1929. Mrs. Beldie remained in this country until July of 1936, when she departed for Rumania in possession of a United States passport. She and Mr. Beldie were married after her return to Rumania. Her husband was killed during the last war.

On August 9, 1949, a certificate of the loss of nationality of the United States was executed by the vice consul of the United States at Bucharest, Rumania, stating that Kunigunde Beldie had expatriated herself under the provisions of section 404 (b) of the Nationality Act of 1940 by having resided for over 3 years in Rumania, the country of her birth, and by having failed to establish a permanent residence in the United States prior to October 14, 1946.

In December of 1950, the American consul at Bucharest informed me that Mrs. Beldie was registered for immigration on January 9, 1948, but that the Rumanian quota was very heavily oversubscribed and that she would face a waiting period of an indeterminate number of years before her turn to apply for a visa could be reached. He also informed me that the son of Mrs. Beldie, Ioan Richard, is an American citizen duly registered with the Legation. However, his American citizenship will cease on February 2, 1957, his sixteenth birthday, if he does not establish a permanent residence in the United States prior to that date.

The brother of Mrs. Beldie, who resides in New York, has informed me that his sister was prevented from contacting her brother or father until sometime in 1947. It was the first contact with her family since the outbreak of World War II. Her relatives here grow more and more concerned for her and her son's safety, as they reside behind the iron curtain. She has written that she can no longer procure work. Her life has been filled with hardships and tragedy; she is anxious to come to the United States in order that her son, who is a United States citizen, may have the privileges and good care which would be his if he could reside in his own country.

I believe this case deserves your best consideration, and I trust you will see your way clear to take favorable action on my bill, in order that Mrs. Beldie and her son will be permitted to come to the United States without delay.

The committee, after consideration of all the facts in the case, is of the opinion that the bill (H. R. 2716) should be enacted.

